

Information requirements for business partners

In the following, we provide information on the collection of personal data in the case of:

1. quotations, 2. archiving customer data for sales, 3. order confirmations, 4. customer feedback evaluations, 5. visitor registration, 6. accounts receivable reminders, 7. e-mail, 8. fax dispatch on order, 9. competitions, 10. business partner contact data, 11. opinion surveys, 12. sample dispatch, 13. newsletter dispatch, 14. invoices, 15. complaints, 16. damage reports, 17. telephone system, 18. switchboard, 19. transponder management, 20. webshop, 21. customs clearance

Personal data is all data that can be related to you personally, e.g. name, address, e-mail addresses, telephone number; picture/film recordings.

1. Contact details and company data protection officer

The data controller pursuant to Article 4 (7) GDPR is Develey Senf und Feinkost GmbH, Ottobrunner Str. 45, 82008 Unterhaching, telephone: 089/ 61102-0, e-mail

develey-kontakt@develey.de. The company data protection officer of Develey Senf & Feinkost GmbH can be contacted at the above address F.A.O. the Organisation/IT department or at datenschutz.dsf@develey.de.

2. Purposes of data processing and legal basis

(1) The data is collected, stored and, if necessary, passed on by us, insofar as it concerns the following:

1. The data is collected, stored and, if necessary, passed on by us insofar as it is necessary to make a declaration of intent which must be received, which contains all essential components of the contract and by which a conclusion of the contract is offered to another party in such a way that the conclusion of the contract depends only on the consent of the recipient. The collection, storage and disclosure are, therefore, carried out for the purpose of pre-contractual measures at the request of the data subject on the basis of Article 6 (1) Sentence 1 Letter b GDPR. Failure to provide this data may result in the interested party or customer not being able to receive an offer and, if applicable, a contract not being concluded.

2. The data is collected, stored and, if necessary, passed on by us to the extent required to document the products purchased by the customers. The collection, storage and disclosure are, therefore, carried out for the purpose of fulfilling the contract and on the basis of Article 6 (1) Sentence 1 Letter b GDPR and for the fulfilment of a legal obligation of the data controller on the basis of Article 6 (1) Sentence 1 Letter c GDPR. Failure to provide this data may result in invoices or other documents not being able to be audited, retention periods not being met and, otherwise, not being able to be provided retrospectively.

3. The data is collected, stored and, if necessary, passed on by us insofar as it is required to be able to inform the customer of the acceptance of an offer. The company issuing an order confirmation has, in most cases, previously issued an offer for the delivery of the goods, the quantity and the prices or for a service and its prices. The collection, storage and disclosure are, therefore, carried out for the purpose of fulfilling a pre-contractual measure at the request of the data subject on the basis of Article 6 (1) Sentence 1 Letter b GDPR. Failure to provide this data may result in the inability to distribute goods and services.

4. The data is collected, stored and, if necessary, passed on by us as far as it is required to evaluate the feedback of customers. The collection, storage and disclosure are, therefore, carried out for the purpose of pursuing a legitimate interest, which is weighed up in individual cases by considering the interests at stake and whether an interest worthy of protection opposes this (in particular, in the case of children) on the basis of Article 6 (1) Sentence 1 Letter f GDPR and for the purpose of pre-contractual measures at the request of the data subject on the basis of Article 6 (1) Sentence 1 Letter b GDPR. Failure to provide this data may mean that we are unable to evaluate customer feedback and accept enquiries.

5. We collect, store and, if necessary, pass on the data insofar as it is necessary to record a visit by data subjects to a business and thereby establish who is on the business premises. The collection, storage and disclosure are, therefore, carried out for the purpose of pursuing a legitimate interest, which is weighed up in individual cases by considering the interests at stake and whether an interest worthy of protection opposes this (in particular, in the case of children) on the basis of Article 6 (1) Sentence 1 Letter f GDPR and for the purpose of pre-contractual measures at the request of the data subject on the basis of Article 6 (1) Sentence 1 Letter b GDPR. Failure to provide this data may result in visitors not being able to be registered and, therefore, not being able to visit the company.

6. The data is collected, stored and, if necessary, passed on by us insofar as it is necessary to trigger a debtor's performance as owed to the creditor. If the debt becomes due, an unsuccessful reminder shall put the debtor in default according to Section 286 German Civil Code (BGB). The collection, storage and transfer is, therefore, carried out for the purpose of fulfilling the contract and on the basis of Article 6 (1) Sentence 1 Letter b GDPR. Failure to provide this data may result in the inability to collect outstanding debts.

7. We collect, store and, where appropriate, share data as necessary to facilitate learning that uses electronic or digital media for the presentation and distribution of learning materials and/or to support interpersonal communication. The collection, storage and disclosure are, therefore, carried out for the purpose of fulfilling the employment relationship and on the basis of Article 88 (1) GDPR in conjunction with Section 26 (1) Federal Data Protection Act (BDSG as amended). Failure to provide this data may prevent the server from functioning correctly.

8. The data is collected, stored and, if necessary, passed on by us to the extent required to ensure the fax transmission. The collection, storage and disclosure are, therefore, carried out for the purpose of contractual/pre-contractual measures at the request of the data subject on the basis of Article 6 (1) Sentence 1 Letter b GDPR and for the fulfilment of legal obligations of the data controller pursuant to Article 6 (1) Sentence 1 Letter c GDPR. Failure to provide this data may result in order confirmations not being able to be delivered and contracts not being able to be concluded.

9. The data will be collected, stored and, where applicable, passed on by us to the extent necessary to enable an offer to participate in a game where a prize is offered if the game is won. The collection, storage and disclosure are, therefore, carried out for advertising purposes and only if you have given us your express consent to do so in accordance with Article 6 (1) Letter a GDPR. Failure to provide this data may result in not being able to participate in the competition and, accordingly, not being able to win anything.

10. The data is collected, stored and, if necessary, passed on by us to the extent required to collect the contact details of business partners – such as suppliers and interested parties – which are stored in contact folders, in order to achieve long-term interactions between two economic entities geared towards the pursuit of economic goals, from which business is generated. The collection, storage and disclosure are, therefore, carried out for the purpose of fulfilling the contract with the data subject on the basis of Article 6 (1) Sentence 1 Letter b GDPR, for the purpose of pre-contractual measures at the request of the data subject on the basis of Article 6 (1) Sentence 1 Letter b GDPR and for the fulfilment of legal obligations

of the data controller pursuant to Article 6(1) Sentence 1 Letter c GDPR. Failure to provide this data may result in business partners not being able to be contacted/delivered to.

11. We collect, store and, if necessary, pass on the data insofar as it is necessary to gather opinions on a specific topic from a number of people in a survey. The collection, storage and disclosure are, therefore, for advertising purposes and only if you have given us your express consent to do so in accordance with Article 6 (1) Letter a GDPR. Failure to provide this data may mean that trends cannot be identified and potential target groups cannot be created.

12. The data is collected, stored and, if necessary, passed on by us insofar as it is required to send a customer or interested party sample goods requested by the latter. The collection, storage and disclosure are, therefore, carried out for the purpose of fulfilling the contract with the data subject on the basis of Article 6 (1) Sentence 1 Letter b GDPR. Failure to provide this data may result in the prospective customer or client not being able to be serviced, and not receiving sample goods.

13. With your consent, you can subscribe to our newsletter, with which we inform you about our current interesting offers. The advertised goods and services are named in the declaration of consent. You register for our newsletter using the so-called double-opt-in procedure. This means that after you have registered, you will receive an e-mail at the e-mail address you have provided, in which we ask you to confirm that you wish to receive the newsletter. If you do not confirm your registration within 24 hours, your information will be blocked and automatically deleted after one month. In addition, we store your IP addresses and the times of registration and confirmation. The purpose of this procedure is to verify your registration and, if necessary, to clarify any possible misuse of your personal data. The only mandatory information for sending the newsletter is your e-mail address. The provision of further, separately marked data is voluntary and will be used to address you personally. You do not have to provide this data. After your confirmation, we store your e-mail address for the purpose of sending you the newsletter. The legal basis for this is Article 6 (1) Sentence 1 Letter a GDPR.

14. The data is collected, stored and, if necessary, passed on by us insofar as it is required to create a document in which a company informs its customer of the fee due on the basis of a contract. The collection, storage and disclosure are, therefore, carried out for the purpose of fulfilling the contract and on the basis of Article 6 (1) Sentence 1 Letter b GDPR and for the fulfilment of legal obligations by the data controller according to Article 6 (1) Sentence 1 Letter c GDPR. Failure to provide this data may result in the services not being billed.

15. The data is collected, stored and, if necessary, passed on by us to the extent required to deal with any dissatisfaction expressed verbally or in writing with a product or service from both internal and external customers. The cause may concern actual deficiencies or misunderstandings, or unrealistic expectations.

The collection, storage and disclosure are, therefore, carried out for the purpose of fulfilling the contract and on the basis of Article 6 (1) Sentence 1 Letter b GDPR, for the purpose of fulfilling a legal obligation of the data controller on the basis of Article 6 (1) Sentence 1 Letter c GDPR and for the purpose of fulfilling vital interests of the data subject and on the basis of Article 6 (1) Sentence 1 Letter d GDPR. Any failure to provide this data may result in the complaint not being processed.

16. The data is collected, stored and, if necessary, passed on by us insofar as it is required to process damage reports from customers. The collection, storage and disclosure are, therefore, carried out for the purpose of fulfilling the contract and on the basis of Article 6 (1) Sentence 1 Letter b GDPR and for the fulfilment of a legal obligation of the data controller on the basis of Article 6 (1) Sentence 1 Letter c GDPR. Failure to provide this data may result in the claim not being settled.

17. The data is collected, stored and, if necessary, passed on by us, as far as it is necessary to connect an exchange facility, which connects several terminal devices – such as telephone, fax, answering

machine – both to each other and to one or more lines of the public telephone network. The collection, storage and disclosure are, therefore, carried out for the purpose of fulfilling the employment relationship and on the basis of Article 88 (1) GDPR in conjunction with Section 26 (1) Federal Data Protection Act (BDSG as amended). Failure to provide this data may result in work processes not being able to be carried out properly, and may result in faltering workflows.

18. The data is collected, stored and, if necessary, passed on by us as far as it is necessary to have calls received at a central point, to forward them or to record callbacks. The collection, storage and disclosure are, therefore, carried out for the purpose of pre-contractual measures at the request of the data subject on the basis of Article 6 (1) Sentence 1 Letter b GDPR and for the purpose of fulfilling the contract and on the basis of Article 6 (1) Sentence 1 Letter b GDPR. Failure to provide this data may result in calls not being handled properly.

19. The data is collected, stored and, if necessary, passed on by us to the extent required to document a transponder handover (in Excel, if applicable), in order to ensure that it is retrieved when the employee leaves. The collection, storage and disclosure are, therefore, carried out for the purpose of fulfilling the employment relationship and on the basis of Article 88 (1) GDPR in conjunction with Section 26 (1) Federal Data Protection Act (BDSG as amended). Failure to provide this data may result in the employee not being able to enter the office premises.

20. The data is collected, stored and, if necessary, passed on by us to the extent required to process your order correctly. The collection, storage and disclosure are, therefore, carried out for the purpose of contractual/pre-contractual measures at the request of the data subject on the basis of Article 6 (1) Sentence 1 Letter b GDPR. Failure to provide this data may result in the inability to sell goods.

21. The data is collected, stored and, if necessary, passed on by us insofar as it is required to process goods and services via customs and to submit data. The collection, storage and transfer is, therefore, carried out for the purpose of fulfilling a legal obligation of the data controller pursuant to Article 6 (1) Sentence 1 Letter c GDPR and for the purpose of fulfilling the employment relationship and on the basis of Article 88 (1) GDPR in conjunction with Section 26 (1) Federal Data Protection Act (BDSG) as amended. Processing is necessary for the performance of a task carried out in the public interest, or in the exercise of official authority vested in the data controller. Failure to provide this data may result in legal requirements being breached and goods or services being blocked by customs.

We transmit personal data to the responsible employees/departments; to the works council; to the responsible court of jurisdiction; to employees of the parent company; to employees of subsidiaries; to a law firm; to an auditor; to a tax advisor; to cooperation partners in the competition; to competition insurers; to data subjects who have filled out the contact form; to auditors; to temporary employment staff; to the tax office; to a debt collection agency; to the responsible bank; to the responsible insurance company; to the responsible expert; to the lessor; to all callers; to customs; to the district office; to forwarding agents.

Further processing will only take place if you have consented or if there is legal permission to do so.

In some cases, we use external service providers based in the European Economic Area to process your data.

These service providers have been carefully selected by us, commissioned in writing and are bound by our instructions. They are reviewed by us on a regular basis. The service providers will not pass this data on to third parties, but will delete it after the contract has been fulfilled and the legal storage periods have expired, unless you have consented to further storage.

(2) We maintain up-to-date technical measures to ensure the protection of personal data. These are adapted to state of the art technological standards in each case.

3. Duration of data storage

Insofar as we do not process your contact data for operational purposes, we store the collected data until the purpose for which the data was collected has been fulfilled and is no longer required or, in the case of

1. Offers, until the purpose has been fulfilled, max. 6 years.
2. Archiving of customer data, until the purpose has been fulfilled, max. 10 years.
3. Order confirmation, until the purpose has been fulfilled, max. 6 years.
4. Evaluation of customer feedback, until the end of a 10-year period.
5. Visitor registration, until the expiry of a 6-month period.
6. Accounts receivable reminders, until the end of a 10-year period.
7. E-mails, until the expiry of a 10-year period.
8. Fax dispatch (commissioned) until the expiry of the 10-year period.
9. Competitions, until the expiry of a 10-year period.
10. Contact details of business partners, until the expiry of a 10-year period.
11. Opinion polls, until the purpose of the storage is fulfilled.
12. Sample shipment, until the expiry of an 8-year period.
13. Newsletter dispatch, until the expiry of a 6-month period.
14. Invoices, until the expiry of a 10-year period.
15. Complaints, until the expiry of a 10-year period.
16. Damage report, until the expiry of a 10-year period.
17. Telephone system, until the expiry of a 10-year period.
18. Switchboard, until the expiry of a 6-month period.
19. Transponder management, until the expiry of a 6-month period.
20. Webshop, until the expiry of a 6-month period.
21. Customs clearance, until the expiry of a 10-year period.

4. Your data protection rights

You have the right to request information from us at any time about the personal data we have stored about you (Article 15 GDPR). This also concerns the recipients or categories of recipients to whom this data is passed on and the purpose of the storage. In addition, you have the right to demand the correction of your data under the provisions of Article 16 GDPR and/or its deletion under the provisions of Article 17 GDPR and/or the restriction of its processing under the provisions of Article 18 GDPR. Furthermore, you can request a data transfer at any time under the provisions of Article 20 GDPR – provided that the data is still stored by us.

In the case of processing personal data for the performance of tasks in the public interest (Article 6 [1], Sentence 1, Letter e GDPR) or for the pursuit of legitimate interests (Article 6 [1], Sentence 1, Letter f GDPR), you may object to the processing of personal data relating to you at any time with effect for the future. In the event of an objection, we must refrain from any further processing of your data for the aforementioned purposes unless,

- there are compelling legitimate grounds for processing which override your interests, rights and freedoms, or
- the processing is necessary for the establishment, exercise or defence of legal claims.

If the processing of personal data concerning you is based on your consent, you have the right to withdraw your consent at any time. The lawfulness of the processing carried out on the basis of the consent until revocation is not affected by this (Article 7 [3] GDPR).

Under the provisions of Article 21 [1] GDPR, data processing may be objected to on grounds relating to the specific situation of the data subject.

5. Contact

All requests for information, revocations or objections to data processing should be sent by e-mail to our data protection officer at daten-schutz.dsf@develey.de or by letter to the address stated under Point 1. For more detailed information, please refer to the full text of the GDPR, which is available on the internet at <https://eur-lex.europa.eu/legal-content/DE/TXT/HTML/?uri=CELEX:32016R0679&from=DE>.

You also have the option of lodging a complaint with the competent supervisory authority about matters relating to data protection law.

Bavarian State Commissioner for Data Protection

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